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OFFICE OF GENERAL
COUNSEL

June 22, 2016

Federal Election Commission
999 E Street NW
Washington, D.C. 20463

RE: MUR 7007

To Whom It May Concern:

I received your correspondence dated June 14, 2016 regarding the complaint that was filed against Total Grain Marketing, LLC regarding a contribution made to the Kyle McCarter for Congress Committee on or about November 23, 2015 in the sum of \$10,008.69. Your correspondence indicated that I could respond if I so desired within fifteen (15) days and please accept this as my response.

After meeting Kyle McCarter in the fall of 2015, and listening to his campaign information, the Bailey family decided to make a donation to Mr. McCarter for his campaign for Congress. The Bailey family consists of eight (8) members. After our discussion, I contacted Total Grain Marketing, LLC of Casey, Illinois and requested a check be made payable to the Kyle McCarter for Congress Committee in the sum of \$10,008.69 on or about November 13, 2015.

Total Grain Marketing handles our farm grain trades for our farming business in Illinois. Total Grain Marketing supplies the services to numerous farmers. The Bailey family has no invested interest in the actual company of Total Grain Marketing, LLC but merely uses its services in the buying and selling of grain and distribution of proceeds. I had requested a check be made payable to the Kyle McCarter for Congress Committee in the sum of \$10,008.69 as set forth above. The amount is a strange amount due to the process of selling grain and that accounts for the \$8.69 instead of an even \$10,000.00 contribution based upon the settlement of grain prices that particular day. That is the way Total Grain Marketing handles its requests.

Being a novice in the election campaigns, I did not realize that I was making a mistake by requesting the check be made payable directly to the Kyle McCarter for

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Congress. Now, after various conversations and information supplied, I find the check should have been made payable to the Bailey family and thereafter, the Bailey family members could have each written their own check Kyle McCarter for Congress Committee.

The action of Total Grain Marketing, LLC was merely innocent in following my request. Total Grain Marketing writes numerous checks on behalf of myself and the Bailey Farms. The Kyle McCarter for Congress Committee readily accepted the payment and I was not notified of any problem until January of 2016 by the McCarter campaign. My last correspondence with the Kyle McCarter Committee, and in particular was with Nate Wheeler and Kyle McCarter. The last email I received from Kyle McCarter was on February 22, 2016 indicating that he had a lawyer who was going to respond to the alleged violations of the election laws. I have heard nothing further from Mr. McCarter or the campaign.

As you can ascertain, I do not make contributions to candidates on a regular basis. I have only made two other campaign contributions during my lifetime one to John Shimkus for Congress in the sum of \$1,000.00 and owe to a local State Representative in the sum of \$500.00. The Bailey family had no intentions of using Total Grain Marketing to make a contribution in excess of the limits or on behalf of another person or entity. Furthermore, I did not intend to make a donation in a sum that I could not individually make. The family had decided to make the contribution and therefore the \$10,000.00 figure was selected by the eight (8) member.

Please accept the above as my response to the letter of June 14, 2016 and in particular the complaint filed therein. My actions were out of ignorance of the campaign laws and I had no ill will or intentions otherwise than to make a contribution to Mr. McCarter on behalf of the Bailey family. If you need anything further from me I would be glad to provide the same.

Sincerely,

A handwritten signature in black ink, appearing to read 'D. Bailey', with a stylized flourish at the end.

Darren Bailey